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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,172	01/16/2002	Satoshi Inami	2002-0022A	2339
513	7590	01/24/2005		EXAMINER
		WENDEROTH, LIND & PONACK, L.L.P.		RIMELL, SAMUEL G
		2033 K STREET N. W.		
		SUITE 800	ART UNIT	PAPER NUMBER
		WASHINGTON, DC 20006-1021	2165	

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,172	INAMI ET AL.	
	Examiner Sam Rimell	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 15-34 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

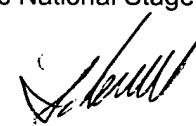
Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____. |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Lenz (U.S. Patent 6,029,196).

The reference to Lenz is published more than one year prior to applicant's filing date in the United States. Accordingly, the reference is applied under 35 USC 102 (b).

Claim 15: Lenz discloses an application executing unit in the form of a browser that resides on the client (col. 3, lines 44-45). The browser executes application programs, such as e-mail (col. 3, line 10), access to news (col. 3, line 10) or help functions (col. 4, lines 15-20). The retrieval requesting unit is the computer terminal at the client location (102). The retrieval requesting unit (102) can retrieve (105) a file of instructions (configuration file—106—col. 3, lines 1-12).

The file of retrieved instructions includes: (1) Instructions for transmitting transmission data to the server (instructions to the user to configure an e-mail address which gets sent to the server—col. 3, lines 6-7 and col. 3, lines 30-31); and (2) Specifying data for specifying the types of data to be sent to the server (Instructions specifying the types of data required, such as e-mail server—col. 3, line 10, or e-mail address—col. 3, lines 42-44).

The transmission processing unit is the processor within the client computer (102). A processor inherently makes determinations about data being transmitted and received and initiates the transmissions of data. The instructions within the processor that make

determinations would thus read as a determination unit and the instructions within the processor which initiate the transmission would thus be a transmission unit.

Claim 16: The retrieval request is made to obtain a configuration file and obtain configuration settings. Thus, the request itself is made before applications are executed. The feature of making the request after an application is executed is optionally recited.

Claim 17: The application executing unit (browser) can execute its applications after it has been configured by the instructions ordered by the configuration file.

Claim 18: The retrieval requesting unit is the client (102). The retrieval requesting unit makes a retrieval request for an instruction file (configuration file) stored on the server. Communications with the server are made via web browser (col. 3, liens 42-45).

Claim 19: The instruction file can specify data formats that can be used or disabled, such as using or disabling Java programs (col. 4, lines 1-10). The transmission processing unit will then act on these instructions to control the formats of transmitted data.

Claim 20: The instructions file can also specify destination servers to which data is to be transmitted (col. 3, lines 6-12).

Claim 21: See remarks for claim 15.

Claim 22: See remarks for claim 16.

Claim 23: See remarks for claim 17.

Claim 24: See remarks for claim 18.

Claim 25: See remarks for claim 19.

Claim 26: See remarks for claim 20.

Claim 27: See remarks for claim 15. Note that the instruction file (configuration file) resides at the server and is loaded to the client.

Claim 28: See remarks for claim 16.

Claim 29: See remarks for claim 17.

Claim 30: See remarks for claim 18.

Claim 31: See remarks for claim 15. Note that the instruction file (configuration file) resides at the server and is loaded to the client.

Claim 32: See remarks for claim 16.

Claim 33: Once the instruction file (configuration file) is received and the configuration information has been set, the user can inherently operate applications run by the browser.

Claim 34: See remarks for claim 18.

Remarks

Original claims 1-14 have been cancelled, and new claims 15-34 are presented herewith. Examiner has retained the application of the Lenz reference in making the present rejection. Applicant's arguments regarding the Lenz reference are primarily directed to the content of the instruction file. Applicant argues that Lenz lacks the particular instructions in the instruction file which are now set forth in the independent claims 15, 21, 27 and 31. Examiner maintains that the instruction file of Lenz does include instructions to configure an e-mail address, with such address being communicated back to the server (see the citations in the second paragraph of discussion with respect to claim 15). Thus, the configuration file is a set of instructions for

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transmitting transmission data (a set of instructions to transmit an e-mail address) to the server.

This e-mail address is also data which is generated executing an e-mail application.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175